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**City Council Work Session Meeting Minutes**  
**5:30 PM - Homelessness Legislation**  
**6:10 PM – Community Policing Advisory Commission (CPAC) Purpose and Bylaws**

**Monday, November 8, 2021**  
**Zoom Community Auditorium**

***Minutes are unofficial until approved by City Council.***  
***Council approved minutes as presented November 22, 2021.***

**ROLL CALL: COUNCIL PRESENT ATTENDED BY ZOOM WEBINAR:** Donna Gustafson; Kristy Kottkey; Timothy Rippe; Elena Uhing; Mariana Valenzuela; Malynda Wenzl; and Mayor Peter Truax. **COUNCIL ABSENT:** Donna Gustafson.

**STAFF PRESENT ATTENDED BY ZOOM WEBINAR:** Jesse VanderZanden, City Manager; Chris Crean, City Attorney; Emily Matasar, City Attorney (dismissed at 6:15 p.m.); Paul Downey, Assistant City Manager/Finance Director; Bryan Pohl, Community Development Director; Henry Reimann, Police Chief; and Anna Ruggles, City Recorder.

**A. 5:30 PM - 6:10 PM - HOMELESSNESS LEGISLATION**

Mayor Truax called the work session meeting to order at 5:30 p.m. via Zoom Webinar Video Conference. The work session was held in a “hybrid” format allowing the public to attend both virtual and in-person in the Community Auditorium. Members of the public could observe the meeting LIVE on Zoom Webinar or on television on Tualatin Valley Community Television (TVCTV) Government Access Programming.

**Staff Report:**

Jesse VanderZanden, City Manager, and City Attorney Matasar, facilitated the work session, noting the purpose of the work session was to brief Council on recently enacted state legislation pertaining to homelessness and public space. City Attorney Matasar briefed on the following legislation.

- House Bill (HB) 2006: Seeks to create transitional and emergency housing in the state primarily by requiring local governments to approve siting of qualifying emergency shelters by qualifying entities. The bill also expands the description of transitional housing accommodations to include motor-vehicle camping, removes the three-vehicle limit on motor-vehicle camping on religious institution property, and expands motor-vehicle camping that political subdivisions may allow.

*No amendments to City Code were needed to comply with the new law. The provision requiring local governments to approve qualified applications for emergency shelters sunsets on July 1, 2022. Shelter applications submitted prior to July 1, 2022, are subject to the law, and shelters approved under the law are allowed to continue operating after the sunset.*

- House Bill (HB) 3124: Added the requirements in state law for a local government's humane policy for the removal of homeless camps from public property. For example, the notice requirement for removing a camp was changed from 24 to 72 hours prior to removal and required that the notice state how to claim personal property removed from the camp.

*No amendments to City Code were needed; however, staff is currently drafting a City policy to comply with the new law. Additionally, Washington County is ensuring provisions are incorporated and followed as part of the County's Encampments Program.*

- House Bill (HB) 3115: Provides that local law regulating sitting, lying, sleeping or keeping warm and dry outdoors that is open to the public must be "objectively reasonable" as to "time, place and manner" with regards to persons experiencing homelessness. The objective reasonableness of an anti-camping ordinance is based on the totality of the circumstances. Although HB 3115 does not go into effect until July 1, 2023, it is essentially already in effect as it codifies the Boise and Grants Pass judicial cases.

*The City Code contains two sections relevant to camping within the City: Section 71.09 "Obstructing Streets or Public Ways" and Section 92.15 "Camping", which applies in parks only. The City may adopt particular "time, place and manner" regulations that restrict and manage camping in Forest Grove. The City Code provisions are likely constitutional and no action is required at this time.*

Police Chief Riemann briefed on the homelessness efforts in Forest Grove, noting the City continues to monitor the camp areas on a regular basis (identified as B Street, Highway 47, and 11<sup>th</sup> and Taylor Way). VanderZanden referenced Washington County's Highway 47 Camp Expectations and Assessment Criteria (Attachment A), noting the County provided portable restrooms, wash station and posted usage rules for campers at the Highway 47 camp.

#### Discussion:

Mayor Truax opened the floor as roundtable discussion ensued pertaining to the City's existing City Codes and whether additional City Code provisions were desired, such as prohibiting camping in additional public areas, a total prohibition on camping and/or amending the code to ensure that it is "objectively reasonable" as to "time, place and manner" with regards to persons experiencing homelessness. VanderZanden and City Attorney Matasar responded to various concerns, inquiries and scenarios Council presented pertaining to the above-noted legislations and City Code provisions, noting it is unclear what qualifies as "available emergency shelter beds" or even what area in which the beds must be available. Matasar explained the City cannot outright prohibit all camping on public property; however, the City may regulate camping on public property so long as the regulations are "objectively

reasonable” as to “time, place and manner”. Mayor Truax invited Shawn Cardwell, Forest Grove Foundation, to join the discussion as a panelist at 6:10 p.m. Cardwell briefed on the Foundation’s activities. Additionally, Kottkey proposed creating a Council subcommittee to consult with the Forest Grove Foundation and Washington County regarding a proposed legislative concept for pilot funding to support city/county coordination on homelessness. The League of Oregon Cities is working out the details of the framework to give communities a better understanding of the intent for the pilot and expectations for jurisdictions that wish to be considered for participation. Mayor Truax voiced concerns of taking action this evening to form a Council subcommittee because the proposal was just introduced to Council, noting the concept is centered on grant funding. Council voiced concerns of the lack of housing affordability and availability and the need to work closely with agencies and community partners to heighten the urgency for individuals experiencing homelessness. Councilors voiced support of the pilot concept. In conclusion of the above-noted discussion, VanderZanden advised Washington County is completing its Quarterly Report on Homelessness and is scheduled to present at the regular Council meeting on November 22, 2021.

No formal action nor formal decisions were made during the above-noted work session.

Adjournment:

Mayor Truax adjourned the above-noted work session at 6:15 p.m.

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**B. 6:10 PM - 6:50 PM - COMMUNITY POLICING ADVISORY COMMISSION (CPAC)**  
**PURPOSE AND BYLAWS**

Mayor Truax called the work session meeting to order at 6:15 p.m. via Zoom Webinar Video Conference. The work session was held in a “hybrid” format allowing the public to attend both virtual and in-person in the Community Auditorium. Members of the public could observe the meeting LIVE on Zoom Webinar or on television on Tualatin Valley Community Television (TVCTV) Government Access Programming.

Staff Report:

Police Chief Reimann and VanderZanden facilitated the work session, noting the purpose of the work session was to review the purpose and direction and to discuss potential goals and objectives for the Community Policing Advisory Commission (CPAC). Chief Reimann reported originally CPAC was proposed having nine (9) members, which was consistent with Council Rules Section 14; however, Council approved increasing the membership to 13 Forest Grove residents/stakeholders: 1 Forest Grove School District; 1 Centro Cultural; 1 LGBTQ( lesbian, gay, bisexual, transgender and queer or questioning); 1 SURJ (Stand Up For Racial Justice); 1 Adelante Mujeres; 1 Pacific University; 1 Business Representative; 1 Homeless Representative; 4 Community At-Large and 1 Student Advisor. Currently, CPAC has three vacancies (1 Business, 1 LGBTQ and 1 Student Advisor).

Discussion:

Mayor Truax opened the floor as roundtable discussion ensued pertaining to the relevancy, membership and direction of CPAC and potential bylaws changes as well as the boards/commissions' appointment process pertaining to Council Rules Section 14. Chief Reimann and VanderZanden responded to various concerns and inquiries Council presented pertaining to Council Rules Section 14, the overall Boards/Commissions' purpose statement; annual recruitment process and appointment process. The following topics were suggested in no specific order and/or were unrelated to CPAC:

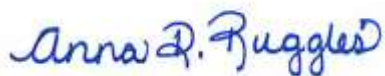
- Council Rules Section 14, boards/commissions appointments and annual interview process, i.e., consider conducting boards/commissions interviews out of cycle.
- Create an applicant interview question relevant to each board/commission. Councilors were encouraged to submit applicant questions to the City Recorder.
- Council will strive to provide better guidance and communication with boards/commissions.
- Review CPAC bylaws and consider combining stakeholder positions in an effort to reduce membership.
- Review current police policies with a diversity, equity and inclusion lens and make policies available in Spanish.
- Examine what other communities are doing to improve community policing efforts.
- Promoting fair and equal treatment of all citizens (i.e., ethnicities) and the most vulnerable population (i.e., medically vulnerable, disabled, homeless, addiction and mental health).
- Continue hosting reoccurring community events, such as "Coffee with a Cop", hold community policing meetings and meetings with specific community groups.
- Examine other cities who have established a CAHOOTS (Crisis Assistance Helping Out On The Streets) Program, to which Chief Riemann advised mental health services are a county-wide approach.

No formal action nor formal decisions were made during the above-noted work session.

Adjournment:

Mayor Truax adjourned the above-noted work session at 6:55 p.m.

Respectfully submitted,



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Anna D. Ruggles, CMC, City Recorder